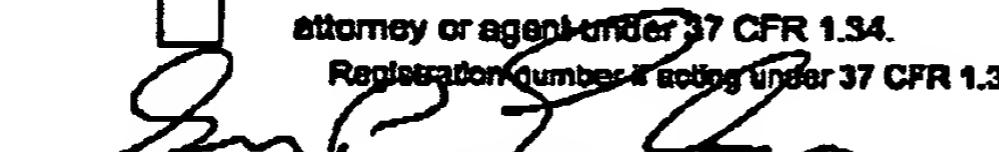


NOV 30 2005

PTO/SB/22 (12-04)

Approved for use through 7/31/2008. GSA ECR 08-03-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) 584462006800	
Application Number	09/751,299	Filed	December 28, 2000
For METHODS FOR PRODUCING ALPHA-SUBSTITUTED CARBOXYLIC ACIDS USING NITRILASES AND STRECKER REAGENTS (AMENDED)			
Art Unit	1658	Examiner	K. Kerr
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
		<u>Fee</u>	<u>Small Entity Fee</u>
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))		\$120	\$60
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2)) (\$225 less \$60 paid for 1-Month Extension on October 31, 2005)		\$450	\$225
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))		\$1020	\$510
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))		\$1590	\$795
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))		\$2160	\$1080
<p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>03-1962</u>. I have enclosed a duplicate copy of this sheet. Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.</p>			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>38,440</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number is acting under 37 CFR 1.34			
 <u>November 30, 2005</u> <u>Date</u> <u>Gregory P. Einhorn</u> <u>Typed or printed name</u> <u>(858) 720-5133</u> <u>Telephone Number</u>			
<small>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</small>			
<input checked="" type="checkbox"/> Total of <u>1</u> forms are submitted.			

Adjustment date: 02/10/2006 SFELEKE1
 12/02/2005 WABDEL1 00000013 031952 09751299
 01 FC:2252 165.00 CR

Adjustment date: 02/10/2006 SFELEKE1
 12/02/2005 WABDEL1 00000013 031952 09751299
 02 FC:2401 250.00 CR
 sd-291291

PAGE 56 * RCVD AT 11/30/2005 7:38:22 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/25 * DNIS:2738300 * CSD:8587205100 * DURATION (min:ss):02:32

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 01 FC:2252 165.00 CR
 sd-291291

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I hereby certify that this correspondence is being facsimile transmitted to Mail Stop 16, the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: January 20, 2006 Signature: 
(Norman Green)

JAN 20 2006

Docket No.: 564462006600
(PATENT)U.S. PATENT & TRADEMARK
OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mark MADDEN et al.

Application No.: 09/751,299

Confirmation No.: 8629

Filed: December 28, 2000

Art Unit: 1656

For: METHODS FOR PRODUCING ALPHA-SUBSTITUTED CARBOXYLIC ACIDS USING NITRILASES AND STRECKER REAGENTS (AMENDED)

Examiner: C. Kam

REQUEST FOR REFUND

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A refund is hereby requested in the amount of \$415.00 charged to Deposit Account No. 03-1952 on December 2, 2005 in connection with the above-identified application which claims small entity status.

The fee charged on December 2, 2005 is a duplication of a total fee for \$415.00 charged on December 1, 2005, which consists of \$165.00 for a 2-Month Petition for Extension of Time, and \$250.00 for a Notice of Appeal filed in the U.S. Patent Office via facsimile on November 30, 2005.

In support of this assertion, Applicants attach 1) a copy of the Fee Transmittal for the November 30, 2005 filing; and 2) pages 1-3 of our Deposit Account Statement for December 2005 with the fees charged on December 1, 2005 indicated on page 1 and the duplicate fees charged on December 2, 2005 indicated on page 3.

sd-297649

Application No.: 09/751,299

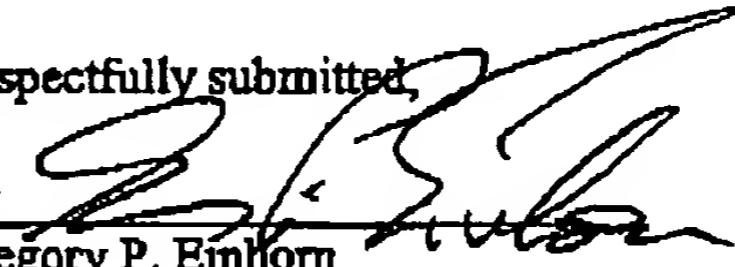
2

Docket No.: 564462006600

It is therefore requested that our Deposit Account No. 03-1952 be credited the \$415.00 charged in error on December 2, 2005, referencing docket no. 564462006600.

Dated: January 20, 2006

Respectfully submitted,

By 
Gregory P. Einhorn

Registration No.: 38,440
MORRISON & FOERSTER LLP
12531 High Bluff Drive
Suite 100
San Diego, California 92130-2040
(858) 720-5133

sd-297649

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PTO/SB/17 (12-04-02)

Approved for use through 7/31/2008. OMB 0651-0032

JAN

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL
For FY 2005** Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT**

(\$ 415.00)

Complete if Known

Application Number	09/751,299
Filing Date	December 28, 2000
First Named Inventor	Mark MADDEN
Examiner Name	K. Kerr
Art Unit	1656
Attorney Docket No.	564462008600

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequences or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	150	(round up to a whole number) x		

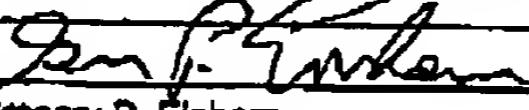
4. OTHER FEE(S)

Non-English Specification: \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 2252 Extension for response within second month
(\$225 less \$80 paid for 1-Month Extension on October 31, 2005) 165.00

2401 Notice of Appeal 250.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	38,440	Telephone	(856) 720-5133
Name (Print/Type)	Gregory P. Einhorn			Date	November 30, 2005

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sd-291288



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Patent and
Trademark Office

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Deposit Account Statement

Requested Statement Month:

December 2005

Deposit Account Number:

031952

Name:

MORRISON & FOERSTER LLP

Attention:

DENISE CALDWELL

Address:

755 PAGE MILL ROAD

City:

PALO ALTO

State:

CA

Zip:

94304-1018

Country:

UNITED STATES OF AMERICA

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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COPY

USPTO Deposit statement - Dec. 2005/af-2048075 v1

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PAGE 7/8 * RCVD AT 1/20/2006 7:58:04 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/28 * DMS:2739300 * CSID:8587205125 * DURATION (mm:ss):05:30

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CALIFORNIA 92130-3140
TELEPHONE: 858.720.5100
FACSIMILE: 858.720.5125
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JAN 21 2006

MORRISON & FOERSTER LLP
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TOKYO, LONDON, BEIJING,
SHANGHAI, HONG KONG,
SINGAPORE, BRUSSELS

To:	FACSIMILE:	TELEPHONE:
Mail Stop 16 U.S. Patent and Trademark Office	(571) 273-8300	(703) 308-1202

FROM: Gregory P. Einhorn, Reg. No. 38,440

Date: January 20, 2006

Number of pages with cover page: 8

Confirmation copy will NOT follow.

If you do not receive all pages, please call (858) 314-5435 as soon as possible.

Preparer of this slip has confirmed that facsimile number given is correct: 10924/NXG4

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Comments:

Attorney Docket: 564462006600
 Confirmation No.: 8629
 Group Art Unit: 1656
 Examiner: C. Kam
 Serial No.: 09/751,299
 Filing Date: December 28, 2000
 Inventor(s): Mark MADDEN et al.
 Title: METHODS FOR PRODUCING ALPHA-SUBSTITUTED CARBOXYLIC ACIDS USING NITRILASES AND STRECKER REAGENTS (AMENDED)

Papers attached:

1. Transmittal (1 page)
2. Request for Refund (2 pages)
3. Copy of Fee Transmittal (1 page)
4. Copy of pp. 1-3 of Deposit Account Statement (3 pages)

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL
NORM GREEN AT (858) 314-5435 AS SOON AS POSSIBLE.**

JAN 20 2006

PTO/SBU/21 (08-04)

Approved for use through 07/31/2006. OMB 0651-0039
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

		Application Number	09/751,299
		Filing Date	December 28, 2000
		First Named Inventor	Mark MADDEN
		Art Unit	1856
		Examiner Name	C. Karr
Total Number of Pages in This Submission	8	Attorney Docket Number	564462008600

ENCLOSURES (Check all that apply)

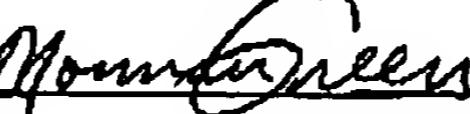
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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Request for Refund (2 pages)	Copy of Fee Transmittal (1 page)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Copy of pp. 1-3 of Deposit Account Statement (3 pages)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	Fax Cover Sheet (1 page)
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.62 or 1.53	Customer No. 45975	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Gregory P. Einhorn		
Date	January 20, 2006	Reg. No.	38,440

I hereby certify that this correspondence is being facsimile transmitted to Mail Stop 16, the Patent and Trademark Office, facsimile no. (571) 273-6300, on the date shown below.

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PAGE 28 * RCVD AT 1/20/2006 7:58:04 PM (Eastern Standard Time) * SVR:USPTO-EXRF-6/26 * DMS:2738300 * CSID:8587205125 * DURATION (mm:ss):05:30